

Village Residential (Formally Bar Harbor Residential)

Section 125-20 Village Residential

A. Purpose

The Village Residential District encompasses the well-established residential neighborhoods that surround the traditional downtown area of Bar Harbor. It consists mostly of single family homes, but also includes condominium and multi-family type uses. New development, re-development and infill development shall respect and reflect standards to assure that the uses are compatible to any nearby properties.

B. Dimensional Standards

1. Minimum lot size: 10,000 square feet with sewer, and 40,000 square feet without sewer.
2. Minimum road frontage and lot width: 100 feet.
3. Minimum front setback for structures: 20 feet
4. Minimum side setback for principal structures: 10 feet.
5. Minimum side setback for accessory, nonresidential structures: 5 feet.
6. Minimum rear setback for principal structures: 10 feet.
7. Minimum rear setback for accessory, nonresidential structures: 5 feet.
8. Maximum lot coverage: 50% with sewer, 25% without sewer.
9. Maximum height: 40 feet.
10. Minimum area per family: 10,000 square feet with sewers; or 20,000 square feet without sewers.

C. Allowed Uses

1. Principal uses allowed by building permit or a change of use permit with the Code Enforcement Officer: government facility/use with road ~~lot~~ frontage on Route 3 or Eagle Lake Road; home occupation; municipal school; municipal use; public or private park; single and two-family dwelling; vacation rental on homestead exemption property¹; roadside stand.

¹ Activity allowed only for single-family dwelling on a homestead exemption property plus one additional accessory dwelling on same property. This activity includes the units in a two-family dwelling when the two-family dwelling is the sole principal structure on the lot.

2. Accessory Uses that are usual and normal to a principal use are allowed. These allowances are subject to review by the Code Enforcement Officer.
3. Uses allowed by site plan review: Multifamily I; wireless communication; nursing/convalescent home in a building constructed before June 8, 2010, road construction.
 - a. ~~The following uses are permitted by site plan review for lots with frontage on Route 3 or 233: professional office building; medical clinic; undertaking establishment; family child care; child care center; art gallery; museum; private school; veterinary hospital or clinic.~~
4. Uses allowed by Conditional Use Permit: professional office building; medical clinic; art gallery; museum; private school; veterinary clinic or hospital; recreational boating facility; pier, dock, or wharf; takeout restaurant; farmers market; cabins; bed and breakfast I.
5. Uses allowed by PUD: Multifamily II.

D. Allowed Activities:

1. Activities allowed without a permit, provided it complies with all provisions of the Section 125: activities necessary for managing/protecting land; filling/earth moving activity less than 10 cubic yards; forest management activities except timber harvesting; non-intensive recreation uses not requiring structures; public utility installation/essential services.
2. Activities allowed by building permit and which require approval of the Code Enforcement Officer: driveway construction; filling/earth moving activity 10 cubic yards or more; noncommercial greenhouse; and wind turbine.

E. Other Requirements:

1. Accessory structures shall be located in the side and rear yard of the property.

ARTICLE V Site Plan Review

§ 125-67. General review standards.

The Planning Board, before granting site plan approval, must find that the proposed plan will comply with each of the following standards. In all instances the burden of proof shall be upon the applicant.

B. Lot standards. Except as modified by the provisions for planned unit developments set forth in § 125-69M and S, as applicable, any proposed structure or lot must comply with the lot size, area per family, road frontage, lot width, and front, side and rear setback requirements, as determined by reference to Article III for each district in which it is proposed subject to the following: [Amended 5-7-1991; 11-5-1991; 5-1-1995; 5-6-1996; 11-2-1999; 11-4-2003; 5-3-2004; 11-2-2004; 5-2-2005; 6-13-2006ⁱEN]

- (6) Exceptions to setback. The following structures, subject to the limitations set forth below, are not subject to the setback requirements of the district in which they are located, provided that no such structure shall be constructed in such a way as to obstruct visibility from the end of any driveway or otherwise to constitute a safety hazard, and provided that the following structures comply with the provisions in §§ 125-68B(8) and (12), if applicable. [Amended 5-2-2005; 11-7-2006; 11-4-2008]

(j) Roadside stands.

~~ⁱ Editor's Note: This ordinance also provided that it shall apply retroactively to all proceedings, applications and/or petitions pending on or commenced after 9-6-2005, notwithstanding the provisions of 1 M.R.S.A. § 302.~~